

FILED
JUL 07 2021
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WAYNE ROBERT BANKS, JR.

Defendant.

INDICTMENT

CASE NO.

3:21 CR 511
JUDGE ZOUHARY
MAGISTRATE JUDGE CLAY

Title 18 United States Code,
Sections 2274 and 2;
Title 33 United States Code,
Sections 407, 409, and 411

GENERAL ALLEGATIONS

At all times relevant to this indictment:

1. The Maumee River was a navigable waterway within the territorial waters of the United States.
2. The privately owned vessel registered as Ohio Registration OH2631WB was a white and maroon 24' Reinell boat (hereinafter Vessel), registered in the name of "WBS" (deceased).

COUNT 1

(Destruction of Vessel, 18 U.S.C. § 2274)

The Grand Jury charges:

3. Paragraphs 1 through 2 of the Indictment are re-alleged and incorporated by reference as if fully set forth herein.
4. On or about October 29, 2020, in the Northern District of Ohio, Western Division, Defendant WAYNE ROBERT BANKS, JR, being a person in charge and command of the

ORIGINAL

Vessel, did willfully cause and permit the destruction and injury of the Vessel, within the Maumee River, in violation of Title 18 United States Code, Sections 2274 and 2.

COUNT 2

(Deposit of Refuse in Navigable Waters, 33 U.S.C. §§ 407 and 411)

The Grand Jury further charges:

5. Paragraphs 1 through 2 of the Indictment are re-alleged and incorporated by reference as if fully set forth herein

6. On or about October 29, 2020, in the Northern District of Ohio, Western Division, Defendant WAYNE ROBERT BANKS, JR., knowingly deposited refuse matter, to wit: bottles, electronic equipment, batteries, cardboard, and other garbage into the Maumee River, without permission from the Secretary of the Army, in violation of Title 33 United States Code, Sections 407 and 411.

COUNT 3

(Obstruction of Navigable Waters, 33 U.S.C. §§ 409 and 411)

The Grand Jury further charges:

7. Paragraphs 1 through 2 of the Indictment are re-alleged and incorporated by reference as if fully set forth herein.

8. On or about October 29, 2020, in the Northern District of Ohio, Western Division, Defendant WAYNE ROBERT BANKS, JR, as an operator of the Vessel, did sink and cause to be sunk a vessel or other craft, that is the Vessel, in navigable channels of the Maumee River, in violation of Title 33, United States Code, Sections 409 and 411.

COUNT 4

(Failure to Mark or Light Sunken Vessel, 33 U.S.C. §§ 409 and 411)

The Grand Jury further charges:

9. Paragraphs 1 through 2 of the Indictment are re-alleged and incorporated by reference as if fully set forth herein.

10. On or about October 29, 2020, in the Northern District of Ohio, Western Division, Defendant WAYNE ROBERT BANKS, JR., as an operator of the Vessel, after the vessel was sunk in navigable channels of the Maumee River, failed to immediately mark the sunken craft with a buoy or beacon during the day and a light at night, and to maintain those marks until the sunken craft was removed, in violation of Title 33, United States Code, sections 409 and 411.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.